

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.22651 of 2005

DATED: 20-10-2005

BETWEEN:

M/s Ananda Aqua Exports P.Ltd. .. Petitioner

And

The Station House Officer, SI of Police

Katrenikona, P.S, E.G.Dt.and another .. Respondents

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.22651 of 2005

ORDER:

This petition is filed to quash the F.I.R in Crime No.32 of 2005 of Katrenikona Police Station on various grounds.

Apart from the fact that this Court would in exercise of its power under Article 226 of the Constitution quash on F.I.R in rare cases, as an effective and efficacious remedy under Section 482 of Criminal Procedure Code can be invoked by the person aggrieved, and since a Police Officer, as per Section 154 Criminal Procedure Code, is bound to register a crime when a cognizable offence is reported to him, and is not supposed to take up investigation in the first instance to find out if the offence is committed and then only register the crime after being satisfied that the contents of the report given to him are true, and since prima facie, the allegations in the F.I.R in this case disclose commission of a cognizable offence. I see no grounds to quash the F.I.R in

Crime No.32 of 2005 aforesaid. If so advised petitioner is at liberty to seek the other remedies available.

Therefore, the petition is dismissed. No costs.

20-10-2005

kvrn